## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

	"Haptic M	essaging In Handheld	Communic	cation Device	es"	
The specification	on of this subject r	natter:				
	is attached heret	0.				
$\boxtimes$	was filed on <u>June</u>	e 8, 2005 as United Stat	es Applicat	ion Number <u>1</u>	0/538,163	
	and was amende	ed on	(if appli	icable).		
$\boxtimes$	was filed on Dec PCT/US2003/03	ember 8, 2003 as PCT 3900	Internationa	al Application	Number	
	and was amende	ed on	(if appli	icable).		
application, include not believe to my invention thereof invention thereof sale in the United has not been parapplication in arrepresentatives design patent application in accomplication in ac	uding the claims, a hat the claimed invereof, or patented of or more than on- ed States of Ameria atented or made that ny country foreign or assigns more to pplication) prior to wledge the duty to cordance with 37 or claim foreign price or's certificate liste	disclose information w	endment(s) n or used in nted publica cation, that prior to this r's certifica America on a utility pat hich is mate	referred to a the United Station in any content the same was application, at its issued before an application ent application of any foreign below any foreignelow and foreign	bove. I do nates of Ame untry before sond in publicand that the interesting the date on filed by more amination of applications ign applications.	ot know and rica before my ic use or on invention of this e or my legal of this for a this for a
PRIOR FOREIGN APPLICATION(S)  Priority Claimed  Attached?						
					Allal	<del>Jilou :</del>
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C.	§119(e) of any United States provisional application(s)
listed below:	•

60/431,662	December 8, 2002
Application Number	Filing Date

#### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

### Customer Number 60,140.

FULL NAME OF	FIRST Name	MIDDLE Initial(s)	LAST Name	
IIIV EII I OII I	Danny	Α	Grant	
RESIDENCE AN CITIZENSHIP		State or Foreign Country		izenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2		MIDDLE Initial(s)	LAST Name	
	Jeffrey		Eid	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Danville	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
FULL NAME OF	FIDCT Name	MIDDLE Initial(a)	LAST Name	
FULL NAME OF INVENTOR 3		MIDDLE Initial(s)		
DECIDENCE AN	Shoichi	State or Foreign Country	Endo Country of Cit	izonobin
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izeriship
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik	J	Shahoian	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	San Ramon	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF INVENTOR 5	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Dean	C.	Chang	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

Day S	06/04/25	
FIRST INVENTOR Danny A. Grant	Date	
SECOND INVENTOR Jeffrey Eid	Date	
THIRD INVENTOR Shoichi Endo	Date	
FOURTH INVENTOR Erik J. Shohian	Date .	
FIFTH INVENTOR Dean C. Chang	Date	

# 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1,97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

## "Haptic Messaging In Handheld Communication Devices"

The specificatio	n of this subject m	atter:				
	is attached hereto	).				
$\boxtimes$	was filed on June	8, 2005 as United Sta	tes Applicat	ion Number <u>1</u>	0/538,163	,
,	and was amended	d on	(if appli	cable).		
	was filed on Dece PCT/US2003/038	<u>mber 8, 2003</u> as PCT <u>900</u>	Internationa	al Application	Number	
	and was amended	d on	(if appli	cable).		
application, inclided not believe the my invention thereosale in the Unite has not been parapplication in arrepresentatives design patent application in accomplication in acc	uding the claims, a nat the claimed invereof, or patented of or more than one of States of Americatented or made the country foreign to polication) prior to wledge the duty to cordance with 37 or claim foreign priors certificate lister	disclose information v	nendment(s) n or used in nted publica ication, that prior to this or's certificat America on a utility pat which is mate U.S.C. §119 o identified b	referred to a the United St tion in any co the same wa application, a te issued before an application ent application erial to the ex-	bove. I do nates of Ame untry before s not in publ and that the interest the date on filed by men) or six mor amination of applicationing applicationing applicationing applications.	ot know and rica before my ic use or on invention of this e or my legal aths (for a this expense).
PRIOR FOREIG	N APPLICATION	<u>(S)</u>	<u>Priority</u>	<u>Claimed</u>		ed Copy ched?
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

#### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the bene	fit under 35 U.S.C. §119(e) of any United States provisional applicati	ion(s)
listed below:		
60/431,662	December 8, 2002	
Application Number	Filing Date	

#### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

### Customer Number 60,140.

FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Danny	A	Grant	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2		MIDDLE Initial(s)	LAST Name	
	Jeffrey		<u>Eid</u>	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Danville	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
SULL NAME OF	FIDOT No see	MIDDLE In:A:-I/-)	LAST Name	
FULL NAME OF INVENTOR 3	FIK51 Name	MIDDLE Initial(s)		
	Shoichi		Endo	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
•	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik	J.	Shahoian	
RESIDENCE ANI CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	San Ramon	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF INVENTOR 5	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Dean	C	Chang	
RESIDENCE ANI CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

FIRST INVENTOR	Date
Danny A. Grant	
Jan Pil	4/25/06
SECOND INVENTOR	Date
Jeffrey Eid	
_	
THIRD INVENTOR	Date
Shoichi Endo	
FOURTH INVENTOR	Date
Erik J. Shohian	
FIFTH INVENTOR	Date
Dean C. Chang	

# 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1,97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

### "Haptic Messaging In Handheld Communication Devices"

		99				
The specification	n of this subject r	natter:				
	is attached heret	o.				
	was filed on June	e 8, 2005 as United Stat	es Applica	tion Number <u>:</u>	10/538,163	
	and was amende	ed on	(if appl	icable).		
	was filed on Dec PCT/US2003/03	<u>ember 8, 2003</u> as PCT 8900	Internation	al Application	Number	
•	and was amende	ed on	(if appl	icable).		
application, include not believe the my invention there invention there is all in the Unite has not been parapplication in an arepresentatives design patent application in accomplication in ac	uding the claims, nat the claimed in ereof, or patented of or more than on ed States of Ameratented or made they country foreign or assigns more coplication) prior to wledge the duty to excordance with 37	o disclose information w	endment(s or used in ited publica cation, that prior to this r's certifica America or a utility pat hich is mat	) referred to a the United S ation in any co the same was application, te issued befor an application tent application	bove. I do natates of Ame buntry before as not in publicand that the core the date on filed by mean) or six more tamination of	ot know and rica before my lic use or on invention of this e or my legal other (for a
patent or invent	or's certificate list	ed below and have also iling date before that of	identified b	pelow any fore	eign applicati	on for paten
PRIOR FOREIG	ON APPLICATION	<u>4(S)</u>	<u>Priority</u>	Claimed		ed Copy ched?
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

#### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the ber listed below:	efit under 35 U.S.C. §119(e) of any United States provisional applica	ation(s)
60/431.662	December 8, 2002	

Filing Date

#### PARENT PATENT APPLICATION(S)

Application Number

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

## Customer Number 60,140.

FULL NAME OF	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Danny	A.	Grant	
RESIDENCE AN CITIZENSHIP		State or Foreign Country		tizenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name	
RESIDENCE AN CITIZENSHIP	Jeffrey D City	State or Foreign Country	Eid Country of Cit	izenship
	Danville	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
FULL NAME OF INVENTOR 3	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Shoichi		Endo	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
•	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik	<u>J</u> .	Shahoian	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	San Ramon	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF INVENTOR 5		MIDDLE Initial(s)	LAST Name	
DECIDENCE AN	Dean	C.	Chang	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	ızensnıp
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

FIRST INVENTOR	Date	
Danny A. Grant		
SECOND INVENTOR Jeffrey Eid	Date	
86	4/25/2006	
THIRD INVENTOR Shoichi Endo	Date	·
FOURTH INVENTOR Erik J. Shohian	Date	
FIFTH INVENTOR Dean C. Chang	Date	•

# 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1,97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

## "Haptic Messaging In Handheld Communication Devices"

	napho m	ooongg				
The specificati	on of this subject	matter:				
	is attached here	to.				
$\boxtimes$	was filed on <u>Jun</u>	<u>e 8, 2005</u> as United Sta	tes Applicat	ion Number <u></u>	10/538,163	
	and was amend	ed on	(if appl	icable).		
$\boxtimes$	was filed on Dec PCT/US2003/03	cember 8, 2003 as PCT 8900	Internationa	al Application	Number	
	and was amend	ed on	(if appl	icable).		
application, inc do not believe to my invention the invention there sale in the Unit has not been p application in a representatives design patent a  I acknow application in a  I hereb patent or invention	luding the claims, that the claimed in tereof, or patented of or more than or ed States of Ameratented or made to a sor assigns more application) prior to exceed the duty to ccordance with 37 y claim foreign pritor's certificate list	e reviewed and understal as amended by any ame evention was ever known or described in any prince year prior to this application more than one year he subject of an inventot to the United States of than twelve months (for this application.  Of disclose information was C.F.R. §1.56(a).  Ority benefits under 35 fed below and have also filing date before that of	endment(s) n or used in nted publica ication, that prior to this or's certifica America or n a utility pat which is mat U.S.C. §119 identified b	referred to a the United S ation in any continuous the same was application, an application an application erial to the expelow any foreign elow any foreign elow any foreign elow any foreign the United States of the Expelow any foreign elow any foreign the United States of the Unit	bove. I do natates of Ame buntry before as not in publicand that the fore the date on filed by mean) or six more amination of application application	ot know and rica before my ic use or on invention of this e or my legal oths (for a fithis for a fithis on for patent on for patent or the rical of the for a fithis for on for patent or the for patent on for patent or the formal of the fithis for the fithis for the fithis fithis for the fithis for the fithis fithis for the fithis for the fithis fithis for the fithis fith
PRIOR FOREI	GN APPLICATION	<u>v(S)</u>	Priority	Claimed		ed Copy ched?
					Allac	<u> Jirou :</u>
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

#### PROVISIONAL PATENT APPLICATION(S)

	I hereby claim the benefit	under 35 U.S.C.	§119(e) of any U	United States pro	ovisional application(s)
listed b	elow:				

60/431,662	December 8, 2002	
Application Number	Filing Date	

#### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number: 60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

#### Customer Number 60,140.

FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Danny	A	Grant	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Ci	tizenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Jeffrey		Eid	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Ci	tizenship
	Danville	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
	•			
FULL NAME OF INVENTOR 3	•	MIDDLE Initial(s)	LAST Name	
DECIDENCE AND	Shoichi	Chata as Familia County	Endo	ti-anabia
RESIDENCE ANI CITIZENSHIP	D City	State or Foreign Country	Country of Ci	tizensnip
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
<del></del>	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik	J	<u>Shahoian</u>	
RESIDENCE AND CITIZENSHIP	O City	State or Foreign Country	Country of Ci	tizenship
	San Ramon	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF	FIRST Name	MIDDLE Initial(s)	LAST Name	
INVENTOR 5	Doon	C.	Chang	
RESIDENCE AND	Dean  City	State or Foreign Country	Country of Ci	tizenship
CITIZENSHIP	. Oity	State of Foreign Country	·	uzonomp
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

FIRST INVENTOR Danny A. Grant	Date	
SECOND INVENTOR Jeffrey Eid	Date	
THIRD INVENTOR Shoichi Endo	Date	
FOURTH INVENTOR Erik J. Shohian	Date 5/25/06	
FIFTH INVENTOR	Date	

# 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1,97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## **DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

	"Haptic M	essaging In Handheld	Communic	cation Device	es"	
The specificati	on of this subject n	natter:				
	is attached heret	0.				
$\boxtimes$	was filed on <u>June</u>	e 8, 2005 as United State	es Applicat	ion Number <u>1</u>	0/538,163	
	and was amende	ed on	(if appli	cable).		
	was filed on Dec PCT/US2003/03	<u>ember 8, 2003</u> as PCT I 8900	nternationa	al Application	Number	
	and was amende	ed on	(if appli	cable).		
do not believe my invention the invention there sale in the Unit has not been papplication in a representative design patent a	that the claimed in nereof, or patented of or more than on ted States of Amer patented or made the any country foreign s or assigns more to application) prior to	o disclose information wh	or used in ted publica cation, that prior to this r's certificate America on a utility pat	the United Station in any control the same was application, at its issued before an application ent application	ates of Ame untry before s not in publend that the ire the date on filed by men) or six mor	rica before my ic use or on invention of this e or my legal oths (for a
patent or inven	tor's certificate liste	ority benefits under 35 L ed below and have also Iling date before that of t	identified b	elow any fore	ign applicati	on for patent
PRIOR FOREI	GN APPLICATION	N(S)	<u>Priority</u>	<u>Claimed</u>		ed Copy ched?
Number	Country	Month/Day/Year Filed	Yes	No	Yes	No

#### PROVISIONAL PATENT APPLICATION(S)

I hereby claim the ben listed below:	efit under 35 U.S.C. §119(e) of any United States provi	sional application(s)
60/431,662	December 8, 2002	
Application Number	Filing Date	

#### PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint practitioners associated with **Customer Number**: **60,140** as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to the address associated with

### Customer Number 60,140.

FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Danny	Α	Grant	
RESIDENCE AN CITIZENSHIP		State or Foreign Country	Country of Cit	izenship
	Montreal	Quebec, Canada	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	5961 de la Roche, #4	Montreal	Quebec, Canada	H2S 2C8
FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Jeffrey		Eid Cit	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	ızensnıp
	Danville	California	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	105 Shadwell Drive	Danville	California	94506
			LAGTAL	
FULL NAME OF INVENTOR 3	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Shoichi		<u>Endo</u>	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Cupertino	California	Japan	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	20268 Northwest Square	Cupertino	California	95014
FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Erik		Shahoian Shahoian	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country		izensnip
	San Ramon	California	USA	7: 0 :
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	3208 El Suyo Drive	San Ramon	California	94583
FULL NAME OF INVENTOR 5	FIRST Name	MIDDLE Initial(s)	LAST Name	·
	Dean	<u>C.</u>	Chang	
RESIDENCE AN CITIZENSHIP	D City	State or Foreign Country	Country of Cit	izenship
	Gaithersburg	Maryland	USA	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	330 Alderwood Drive	Gaithersburg	Maryland	20878

FIRST INVENTOR Danny A. Grant .	Date		
SECOND INVENTOR Jeffrey Eid	Date		
THIRD INVENTOR Shoichi Endo	Date	5-19-04	
FOURTH INVENTOR Erik J. Shohian Shaho (an	Date		-
FIFTH INVENTOR Dean C. Chang	Date		

## 37 C.F.R. §1.56 Duty to disclose information material to patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or

prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.